08-01789-cgm Doc 900-3 Filed 11/18/09 Entered 11/18/09 14:10:59 Exhibit C Contingent Customer Claim Form Pg 1 of 8

## **CUSTOMER CLAIM**

RE	DACTE	7
Claim	Number	
Data	Pagaiyad	

## BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

DECEM	MBER 11, 2008		
Irving H. Picard, Esq. Trustee for Bernard L. Madoff Investment Securities LLC	Provide your office and home telephone no.		
Claims Processing Center 2100 McKinney Ave., Suite 800	OFFICE: 860-210-2190		
Dallas, TX 75201	HOME: 860-355-9837		
1E(0)	Taxpayer I.D. Number (Social Security No.)		
DORIS GLANTZ C/O LINDA BERGER			
27 HOLIDAY POINT ROAD SHERMAN, CT 06784	:		
STERMINE, OT 00704			
(If incorrect, please change)			
ACCOMPANYING INSTRUCTION BE FILED FOR EACH ACCOUNTY AFFORDED UNDER SIPA, ALL OF TRUSTEE ON OR BEFORE MEDICAL OR OR BEFORE OR OR BEFORE OR OR BEFORE OR OR OR BEFORE OR OR OR BEFORE OR	LAIM FORM, BE SURE TO READ CAREFULLY THE ON SHEET. A SEPARATE CLAIM FORM SHOULD NT AND, TO RECEIVE THE FULL PROTECTION CUSTOMER CLAIMS MUST BE RECEIVED BY THE arch 4, 2009. CLAIMS RECEIVED AFTER THAT July 2, 2009, WILL BE SUBJECT TO DELAYED SATISFIED ON TERMS LESS FAVORABLE TO THE OUR CLAIM FORM BY CERTIFIED MAIL - RETURN		
*****************	********		
Claim for money balances as a     The Broker owes me a C			
b. I owe the Broker a Debit	(Dr.) Balance of \$0		

08-01789-cam Doc 900-3 Filed 11/18/09 Entered 11/18/09 14:10:59 Contingent Customer Claim Form Pg 2 of 8 EXHIBIT C If you wish to repay the Debit Balance, please insert the amount you wish to repay and attach a check payable to "Irving H. Picard, Esq., Trustee for Bernard L. Madoff Investment Securities LLC." If you wish to make a payment, it must be enclosed 0 with this claim form. 0 If balance is zero, insert "None." d. Claim for securities as of December 11, 2008: 2. This claim is submitted as a contingent claim as further described in Exhibit PLEASE DO NOT CLAIM ANY SECURITIES YOU HAVE IN YOUR POSSESSION. The Broker owes me securities a. X I owe the Broker securities b. If yes to either, please list below: C. Number of Shares or Face Amount of Bonds I Owe The Broker Date of the Broker Owes Me Transaction (Short) Name of Security (Long) (trade date)

Proper documentation can speed the review, allowance and satisfaction of your claim and shorten the time required to deliver your securities and cash to you. Please enclose, if possible, copies of your last account statement and purchase or sale confirmations and checks which relate to the securities or cash you claim, and any other documentation, such as correspondence, which you believe will be of assistance in processing your claim. In particular, you should provide all documentation (such as cancelled checks, receipts from the Debtor, proof of wire transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or

Contingent claim - see Exhibit A

**EXHIBIT C** 

information regarding any withdrawals you have ever made or payments received from the Debtor.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.

		<u>YES</u>	<u>NO</u>
3.	Has there been any change in your account since December 11, 2008? If so, please explain.		<u> </u>
4.	Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?		· x .
5.	Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker?		X
6.	Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)	·	<u> </u>
7.	Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.		x
8.	Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.		x

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EXHIBIT C

9.	Have you or any member of your family ever filed a claim under the Securities			
	Investor Protection Act of 1970? if			
	so, give name of that broker x			
	Please list the full name and address of anyone assisting you in the preparation of this claim form:  Jennifer L. Young, Esq., Milberg LLP, One Pennsylvania Plaza, New York, NY 10119			
	nnot compute the amount of your claim, you may file an estimated claim. In that ease indicate your claim is an estimated claim.			
IT IS A VIOLATION OF FEDERAL LAW TO FILE A FRAUDULENT CLAIM. CONVICTION CAN RESULT IN A FINE OF NOT MORE THAN \$50,000 OR IMPRISONMENT FOR NOT MORE THAN FIVE YEARS OR BOTH.				
	REGOING CLAIM IS TRUE AND ACCURATE TO THE BEST OF MY ATION AND BELIEF.			
Date	6/28/2009 Signature Linda Berfu			
Date	Signature			
address, than a pe	ship of the account is shared, all must sign above. Give each owner's name, phone number, and extent of ownership on a signed separate sheet. If other ersonal account, e.g., corporate, trustee, custodian, etc., also state your capacity ority. Please supply the trust agreement or other proof of authority.)			

This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:

Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, TX 75201

# Exhibit A

### **EXHIBIT A**

- 1. This Claim Form and exhibit (collectively "Claim Form") is submitted as a contingent claim pursuant to 11 U.S.C. § 502(h), the December 23, 2008 Order of the Honorable Burton R. Lifland, the instructions disseminated by Irving H. Picard, Trustee for Bernard L. Madoff Investment Securities LLC ("Trustee"), on December 11, 2008, and the Court's February 24, 2009 Order. See Sec. Investor Prot. Corp. v. Bernard L. Madoff Inv. Sec. LLC, No. 08-01789, 2009 Bankr. LEXIS 446 (Bankr. S.D.N.Y. Feb. 24, 2009). For this purpose, the Claimant reserves all rights both in her individual capacity and as successor to a one-third interest in the account for which this Claim Form is submitted.
- This Claim Form is submitted only to the extent that the Claimant is deemed to have an interest -- current, former, or future -- in the account regarding which this Claim Form is submitted.
- 3. The Claimant reserves the right to amend this Claim Form in the event of any recoveries by the Trustee against the Claimant under the avoidance powers of the Bankruptcy Code or otherwise, or in the event of rejections of executory contracts pursuant to Bankruptcy Code Section 365, whether such amendments are made pursuant to Bankruptcy Code Sections 105, 502(g), or 502(h), Bankruptcy Rule 3002(c)(3), (4), other provisions of applicable bankruptcy law, or general principles of law or equity.
- 4. The Claimant hereby requests that the Claim Form additionally be considered as a contingent proof of claim, as a general creditor or otherwise, in *In re Bernard L. Madoff Investment Securities LLC*, No. 08-01789 (Bankr. S.D.N.Y.).
- 5. This Claim Form is required to be submitted pursuant to the Court's January 2, 2009 Order, the Trustee's instructions to the Claimant, and the Court's February 24, 2009 Order. See Sec. Investor Prot. Corp. v. Bernard L. Madoff Inv. Sec. LLC, No. 08-01789, 2009 Bankr. LEXIS 446 (Bankr. S.D.N.Y. Feb. 24, 2009). To the extent permitted by applicable law, the Claimant does not, by submitting the Claim Form, consent to the jurisdiction of the Bankruptcy Court nor does Claimant waive any right to trial by jury.
- 6. The Claimant reserves all rights, claims, and/or defenses as to and/or against any and all parties potentially liable for the losses sustained or that will be sustained by the Claimant, including, without limitation, Bernard L. Madoff Investment Securities LLC and its owners, partners, employees, and affiliates, as well as any potentially liable third parties including, without limitation, investment advisors, "feeder funds," accountants, and auditors.
- 7. The Claimant further reserves all rights, claims, and/or defenses as to and/or against any persons and/or creditors asserting claims against Bernard L. Madoff

Investment Securities LLC, its employees, owners, and/or affiliates, in bankruptcy or otherwise.

- 8. The Claimant reserves all objections as to the competence, relevance, materiality, privilege, or admissibility of evidence in any subsequent proceeding or trial of this or any other action for any purpose whatsoever, notwithstanding the submission of any such information to the Trustee.
- 9. To the extent the Claimant discloses to the Trustee documents containing accounting and/or legal advice, the Claimant does not waive any potential privileges applicable thereto.
- 10. The Claimant reserves all rights with respect to submitting information to the Internal Revenue Service regarding gains, losses, and/or theft of assets.
- 11. The Claim Form and supporting documents contain confidential information. The Claimant submits this information to the Trustee subject to the condition that this information will not to be disclosed to any third parties, other than under seal to the Court, absent the Claimant's express consent or Court order.
- 12. To the extent the BMIS account for which this Claim Form is submitted contained or purported to contain funds from a "predecessor" or other BMIS account (including funds transferred as a result of death/inheritance), or the Claimant is a successor in interest to any such account (as a result of death/inheritance or otherwise), the Claimant reserves all rights, claims, and defenses as to any such predecessor or other BMIS account. To the extent necessary or appropriate, this Claim Form is likewise submitted as a claim for and on behalf of any such predecessor or other BMIS account.
- 13. The Claimant submits herewith documents in support of the Claimant's claim. The Claimant reserves any arguments that such documents are not relevant to the Trustee's inquiry. The Claimant further reserves the right to supplement this submission, including the submission of additional documents, if deemed necessary. Below is a list of the documents submitted herewith:

The November 4, 2005 Death Certificate of Doris Glantz (Linda Berger's mother)

c 900-3 Filed 11/18/09 Entered 11/18/09 Contingent Customer Claim Form Pg 8 of 08-01789-cgm Doc 900-3 Filed 11/18/09 STATE OF FLORIDA OFFICE of VITAL STATISTICS CERTIFIED COPY (APPLICANT DO NOT WRITE BELOW THIS LINE) AFFIDAVIT OF AMENDMENT TO CERTIFICATE OF DEATH Raton, Florida 33487 DEC 0 7 2005 O March Strys

C1633630

WARNING:

VOID IF ALTERED OR ERASED

